

**UNITED STATES DISTRICT COURT
THE DISTRICT OF NEW JERSEY**

REGINA JOHNSON, individually, and
on behalf of others similarly situated,

Plaintiff,

v.

COMPASS GROUP USA, INC.,
CHARTWELLS SCHOOL DINING
SERVICES, INC., and COMPASS 2K12
SERVICES, LLC,

Defendants.

Case No. 18-CV-13830 (CCC)(JBC)

**NOTICE OF PARTIAL MOTION TO
DISMISS THE COMPLAINT**

PLEASE TAKE NOTICE that on December 17, 2018, or as soon thereafter as counsel may be heard, Defendants Compass Group USA, Chartwells School Dining Services, Inc., and Compass 2K12 Services, LLC (collectively “Defendants”) will move this Court at the United States District Court for the District of New Jersey before the Honorable Claire C. Cecchi, United States District Court Judge, for an order dismissing Counts V and VI (Plaintiff’s New Jersey Wage Payment Law (“NJWPL”) claims) of Plaintiff’s Complaint on the grounds that: (1) Plaintiff fails to state an NJWPL claim upon which relief can be granted pursuant to Fed. R. Civ. P. 12(b)(6); and (2) Plaintiff’s NJWPL claims are preempted by Section 301 of the Labor Management Relations Act.

PLEASE TAKE FURTHER NOTICE that in support of their motion, Defendants shall rely on their Brief in Support of Their Partial Motion for to Dismiss, the Declaration of Todd Barth, and Exhibits A and B annexed thereto.

PLEASE TAKE FURHTER NOTICE that a proposed form of Order is also submitted herewith.

Dated: November 19, 2018

By: s/ Brian J. Gershengorn
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